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Date: September 26, 2008

Signature: _____

(Quyen Nguyen)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/632,991

Confirmation No.: 8976

Filing Date: August 1, 2003

Inventor(s): Herbert L. BERMAN et al.

Title: METHOD AND SYSTEM OF MONITORING A PATIENT

Examiner: Eric F. Winakur

Group Art Unit: 3768

**PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM FOR
PRIORITY UNDER 35 U.S.C. § 120**

Mail Stop Petition
Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 35 U.S.C. 120, Applicant hereby petitions for acceptance of an unintentionally delayed claim for priority. The entire delay between the date the claim was due under paragraph (a)(2)(ii) of this section and the date of the claim was unintentional. A Supplemental Application Data Sheet is also being concurrently submitted via EFS-Web.

Amendments to the Specification begin on page 2 of this paper.

Remarks begin on page 3 of this paper.

AMENDMENTS TO THE SPECIFICATION

On page 1 of the specification, please amend the RELATED U.S. APPLICATION DATA paragraph as follows:

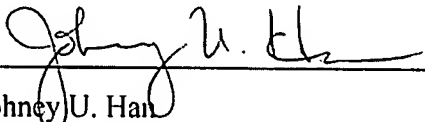
This application is a continuation of U.S. ~~Patent application serial number~~ Pat. App. Serial No. 09/844,687 filed April 27, 2001 (now U.S. Pat. 6,748,250), which is a continuation-in-part of U.S. Pat. App. Serial No. 09/547,433 filed April 12, 2000 (now U.S. Pat. 6,424,851), which is a continuation-in-part of PCT/US1999/023823 filed October 12, 1999 (WO 2000/021437), each of which is incorporated herein by reference in its entirety.

REMARKS

The subject matter of U.S. Pat. Serial No. 09/547,433 (now U.S. Pat. 6,424,851) was already previously incorporated by reference in paragraph [0006] of the application as filed in both the present application and in its parent application, 09/844,687 (now U.S. Pat. 6,748,250). Therefore, no new matter has been added. Moreover, co-pendency was satisfied as U.S. Pat. App. 09/844,687 was filed April 27, 2001, which was prior to the issuance date of July 23, 2002 of U.S. Pat. App. 09/547,433.

In the event the appropriate fee and/or petition is not filed herewith and the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with this filing to **Deposit Account No. 50-3973** referencing Attorney Docket No. **VVMDNZ00201**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,



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